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12 Class

13 UNITED STATES DISTRICT COURT
14
FOR THE EASTERN DISTRICT OF CALIFORNIA

15 RIVA ON THE RIVER HOMEOWNERS
16 ASSOCIATION on behalf of itself and all
others similarly situated,

17 Plaintiff,

18 v.

19 THE MANAGEMENT ASSOCIATION,
20 INC. dba THE MANAGEMENT TRUST, a
California Corporation, and DOES 1 through
200, inclusive,

22 Defendants.

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Attorneys for Defendant
THE MANAGEMENT ASSOCIATION,
INC., dba THE MANAGEMENT TRUST

No. 2:24-cv-02782-CSK

JOINT RULE 26(f) REPORT

Date: January 28, 2025

Time: 10:00 a.m.

Location: Courtroom 25

Hon. Chi Soo Kim

Action Filed: October 9, 2024

1 Plaintiff, RIVA ON THE RIVER HOMEOWNERS ASSOCIATION, and Defendant,
2 THE MANAGEMENT ASSOCIATION, INC. dba THE MANAGEMENT TRUST, jointly
3 submit this case management statement.

4 **1. Service Of Process On Parties Not Yet Served**

5 All parties have been served.

6 **2. Jurisdiction And Venue**

7 Jurisdiction is appropriate under 28 U.S.C. section 1332(d)(2) because (1) this is a
8 putative class action with more than one hundred (100) Class Members; (2) The Management
9 Trust is a California Corporation based in the State of California; (3) Plaintiff and all Class
10 Members are domiciled in various states in the United States and (4) the matter in controversy
11 exceeds the sum or value of \$5,000,000, exclusive of interest and costs.

12 Venue in this District is proper pursuant to 28 U.S.C. section 1391(a)(1) because
13 Defendant does sufficient business in this District to subject it to personal jurisdiction; and 28
14 U.S.C. section 1391(a)(2) (2) because a substantial part of the events or omissions giving rise to
15 the claims occurred in this District.

16 **3. Application of Civil L.R. 203, or 28 U.S.C. § 2403, Fed. R. Civ. P. 5.1 or L.R. 132**

17 None of these rules or statutes apply to this action.

18 **4. Joinder Of Additional Parties And Amendment Of Pleadings**

19 Plaintiff has not yet identified additional Doe Defendants at this time and will thus dismiss
20 them. However, Plaintiff has not yet commenced discovery so at this time do not know if
21 additional parties (plaintiffs or defendants) need to be joined, or whether Plaintiff needs to amend
22 its pleadings to add or remove any causes of action. Plaintiff requests that any deadline to join
23 additional parties or to amend pleadings be set for a date that allows some discovery to be
24 conducted.

25 **5. The Formulation And Simplification Of The Issues, Including Elimination Of
26 Frivolous Claims And Defenses**

27 Plaintiff does not believe this is applicable at this time but may supplement this section

1 in future case management statements.

2 **6. Whether variance from the usual filing and service requirements is appropriate**

3 Not applicable.

4 **7. Anticipated Motions, including Class Certification**

5 At this time, there are no pending motions in this case because Defendant answered the
6 complaint on November 19, 2024. ECF 8.

7 Plaintiff requests that the filing deadline for the class certification motion be set for after
8 substantial completion of discovery because discovery will clarify the issues to be determined.

9 Plaintiff proposes that both fact and expert discovery cut-offs be set for a date after the
10 determination of the class certification motion. Plaintiff may move for summary judgment.

11 Defendant anticipates filing a motion for summary judgment and to contest class
12 certification.

13 **8. Initial Disclosures and Discovery**

14 The Parties have agreed to exchange initial disclosures by January 17, 2025. The
15 remainder of discovery is referenced in the Parties' Joint Discovery Plan.

16 **9. The Avoidance Of Unnecessary Proof And Of Cumulative Evidence, And**
17 **Limitations Or Restrictions On The Use Of Testimony Under Fed. R. Evid. 702**

18 Plaintiff does not believe this is applicable at this time but may supplement this section
19 in future case management statements. Defendant agrees.

20 **10. Streamlining Evidence Presentation**

21 The Parties will meet and confer in good faith regarding stipulations of fact, stipulations
22 regarding authenticity, and admissibility of documents pursuant to the business records
23 exception. To the extent the Parties are not able to agree on the admissibility of certain evidence,
24 the Parties will present those issues in pretrial motions.

25 **11. Proposed Case Schedule**

26 The Parties' respective proposed case schedules are as follows:

27 \\

Event	Proposed Date
Rule 26 Initial Disclosures	January 17, 2025
Motion for class certification and supporting expert declarations	September 5, 2025
Joint Mid-Discovery Statement due	October 15, 2025
Opposition to motion for class certification and supporting expert declarations	December 8, 2025
Reply brief re: motion for class certification	February 6, 2026
Class certification hearing	March 3, 2026
Close of fact discovery	May 5, 2026
Expert disclosures	April 21, 2026
Rebuttal expert disclosures	May 26, 2026
Close of expert discovery	June 23, 2026
Last day to hear dispositive motions	August 4, 2026
Pre-Trial Conference	December 14, 2026
Trial Date	January 11, 2027

12. Trial

The Parties do not believe that any modification of the standard pretrial procedures is necessary at this time. The Parties do not believe a separate trial for any claim, counterclaim, or other issue is warranted at this time. Plaintiff seeks a jury trial on all claims so triable and anticipates that trial will take 5 to 7 days. Defendant anticipates that trial will take 7 to 10 days, and possibly longer depending on the outcome of class certification.

13. Presentation of Evidence Early in the Trial

Because discovery has not yet commenced, the Parties are not yet aware whether any of these procedures are appropriate.

14. Referral to a Special Master, Magistrate or MDL

At this time, the Parties do not believe that these procedures are warranted in this case.

15. Appropriate Settlement Procedures

Plaintiff believes that discussions regarding settlement procedures may be premature at this juncture but is willing to engage in private mediation and believes that it would be most productive after the Parties have engaged in some discovery. Defendant agrees that discussions of settlement procedures are premature at this time and would be most productive after engaging in discovery.

16. Any Other Matters That May Facilitate The Just, Speedy And Inexpensive Determination Of The Action.

The Parties do not believe this is applicable at this time but may supplement this section in future case management statements.

Dated: January 7, 2025

Respectfully Submitted,

MORGAN AND MORGAN, COMPLEX LITIGATION GROUP

By: /s/Michael F. Ram
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Dated: January 7, 2025

Respectfully Submitted,
GORDON REES SCULLY MANSUKHANI,
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By: /s/Fletcher C. Alford (as authorized on 1/7/2025)
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